

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

---

**In re C.H. Robinson Worldwide, Inc.,**  
**Overtime Pay Litigation**

)  
)  
)  
)  
)  
)  
)

**CASE NO. 07-MD-01849  
(JNE)**

---

**RENEWED JOINT MOTION TO APPROVE THE SETTLEMENTS OF FLSA  
CLAIMS AND LAWSUITS OF FOUR WOMEN PLAINTIFFS**

---

Plaintiffs and Defendant C. H. Robinson Worldwide, Inc. (“Defendant” or “CHRW”) (collectively, the “Parties”) hereby renew their joint request that the Court approve the settlements of Plaintiffs Claudette Manning Jackson’s, Mariam Maskharashvili’s, Donna Eddy’s (f/k/a Donna Doss), and Janet Hays’ (collectively the “Four Female Plaintiffs”) claims and dismiss such claims, along with the four women Plaintiffs’ lawsuits, with prejudice. The Parties state as follows in support of their motion:

1. On or about November 28, 2006, the four women Plaintiffs filed complaints in the United States District Court for the Northern District of Illinois, alleging in part that they were improperly classified as exempt under the Fair Labor Standards Act (“FLSA”) and worked hours for which they were not properly paid.
2. CHRW denies all allegations of wrongdoing.

3. There are approximately 525 plaintiffs in 102 FLSA lawsuits against CHRW. The four women Plaintiffs are among these plaintiffs.

4. Pursuant to motions to transfer filed by CHRW, judges in the Northern District of Illinois transferred most of these cases to approximately forty-five different federal districts across the country.

5. Plaintiff Claudette Manning Jackson's action, Case No. 06-6461, remained in the Northern District of Illinois.

6. Plaintiff Mariam Maskharashvili's action, Case No. 06- 6507, remained in the Northern District of Illinois.

7. Plaintiff Janet Hays' action was filed in the Northern District of Illinois, Case No. 06-6669. On February 7, 2007, the court issued an order transferring her case to the Central District of California, Case No. 8:07-cv-00301.

8. Plaintiff Donna Eddy's action was filed in the Northern District of Illinois, Case No. 06-6551. On December 4, 2006, the court transferred her case, *sua sponte*, to the Northern District of Alabama, Case No. 06-4926.

9. By August 2007, CHRW reached final settlements with the Four Female Plaintiffs who are represented by the law firm of Sprenger & Lang, PLLC. By August 28, 2007, all four women Plaintiffs executed their individual settlement agreements. These settlements were reached in full compliance with Rule 1.8 of the Minnesota Rules of Professional Conduct. *See* Thompson Declaration at ¶¶ 12, 13 and 14 attached hereto as Exhibit A. Copies of the four women Plaintiffs' settlement agreements are attached to Thompson Declaration as Exhibits 1 through 4.

10. The Parties thus agree that, subject to Court approval, these disputes have been settled.

11. On July 12, 2007, the Judicial Panel on Multidistrict Litigation (“JPML”) ordered that the 102 FLSA lawsuits against Defendant be consolidated in this Court for purposes of approving the Parties’ settlements. A copy of the JPML’s order is attached hereto as Exhibit B.

12. Pursuant to the JPML’s order, all four of these plaintiffs’ cases were transferred to the District of Minnesota and have the following case identifiers:

- a. Claudette Manning Jackson (*Evelyn Sparks, et al. v. C.H. Robinson Worldwide, Inc.*, Case No. 07-3443 (D. Minn.));
- b. Mariam Maskharashvili (*Anne Ciaglia v. C.H. Robinson Worldwide, Inc.*, Case No. 07-3445 (D. Minn.));
- c. Donna Doss (f/k/a Donna Eddy) (*Donna Eddy, et al. v. C.H. Robinson Worldwide, Inc.*, Case No. 07-3424 (D. Minn.));
- d. Janet Hays (*Nancy Austin, et al. v. C.H. Robinson Worldwide, Inc.*, Case No. 07-3429 (D. Minn.)).

13. The Parties now seek Court approval of these settlements because this case includes claims under the FLSA.

14. Under the great weight of authority, claims under FLSA may not be waived by purely private agreement. A valid waiver may be accomplished, however, by court approval of the settlement, especially with a finding that a settlement is fair, reasonable, and adequate. *E.g. Schulte v. Gangi*, 328 U.S. 108 (1946); *Walton v. United Consumers*

*Club*, 786 F.2d 303, 306 (7th Cir. 1986); *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1353 (11th Cir. 1983); *Brask v. Heartland Automotive Services, Inc.*, No. 06-11 (RHK/AJB), 2006 WL 2524212 at \*1-2 (D. Minn. Aug. 15, 2006). The Parties agree that their settlement agreements are fair, reasonable, and adequate. See Thompson Declaration at ¶ 16. Accordingly, the Parties request that the Court approve the agreements of the four women Plaintiffs and find them to be fair, reasonable, and adequate.

WHEREFORE, the Parties renew their joint request that the Court approve the individual settlement agreements of the four women Plaintiffs, and dismiss their claims with prejudice, with the Defendant and the four women Plaintiffs to bear their own attorney's fees and costs except as agreed upon by the Parties.

Dated: January 18, 2008

Respectfully submitted,

s/ Steven M. Sprenger

Steven M. Sprenger (DC # 418736)  
Sprenger & Lang, PLLC  
1400 Eye Street N.W.  
Suite 500  
Washington, D.C. 20005  
Telephone (202) 772-1160  
Fax: (202) 332-6652  
E-mail: [ssprenger@sprengerlang.com](mailto:ssprenger@sprengerlang.com)  
*Counsel for Women Opt-In Plaintiffs*

s/ Lawrence P. Schaefer

Lawrence P. Schaefer (MN # 195583)  
Mansfield, Tanick & Cohen, P.A.  
1700 U.S. Bank Plaza South  
200 South Sixth Street  
Minneapolis, Minnesota 55402-4511  
Telephone (612) 341-1201  
Fax: (612) 339-3161  
E-mail: [lschaefer@mansfieldtanick.com](mailto:lschaefer@mansfieldtanick.com)  
*Counsel for Men Opt-In Plaintiffs*

s/ Gerald L. Maatman, Jr.

Gerald L. Maatman, Jr. (IL # 0618016)  
Richard P. McArdle (IL # 6216504)  
Ernst H. Ostrand (IL # 6287029)  
Seyfarth Shaw LLP  
131 S. Dearborn St., Suite 2400  
Chicago, Illinois 60603  
Telephone: (312) 460-5000  
Facsimile: (312) 460-7000  
E-mail: [gmaatman@seyfarth.com](mailto:gmaatman@seyfarth.com)  
*Counsel for Defendant*

s/ Mara R. Thompson

Mara R. Thompson (MN # 196125)  
Sprenger & Lang, PLLC  
310 Fourth Avenue South  
Suite 600  
Minneapolis, MN 55415  
Telephone (612) 486-1820  
Fax (612) 871-9270  
E-mail: [mthompson@sprengerlang.com](mailto:mthompson@sprengerlang.com)  
*Counsel for Women Opt-In Plaintiffs*

s/ Janet C. Evans

Janet C. Evans (MN # 182734)  
Thomas B. Hatch (MN # 150939)  
Robins, Kaplan, Miller & Ciresi LLP  
2800 LaSalle Plaza  
800 LaSalle Avenue  
Minneapolis, MN 55402-2015  
Telephone: 612-349-8500  
Facsimile: 612-339-4181  
E-mail: [jcevans@rkmc.com](mailto:jcevans@rkmc.com)  
*Counsel for Defendant*